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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,457	04/09/2001	David Bordeleau	10442-17US JA/IC	6909

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EXAMINER

CHUNG, DANIEL J

ART UNIT PAPER NUMBER

2672

DATE MAILED: 03/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,457

Applicant(s)

BORDELEAU ET AL.

Examiner

Daniel J Chung

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2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

Receipt is acknowledged of Applicant's Information Disclosure Statement of 9-11-2002, which has been placed in the application file and considered by the Examiner.

Drawings

The drawings are not objected to by the Examiner.

Specification

Please review the application and correct all informalities.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by
Ebersole et al (6,500,008)

Regarding claim 1, Ebersole et al discloses that the claimed feature of a method for generating a sequence of object definition data sets for a video particle explosion effect comprising: providing a graphics image data file [i.e. Appendix A] of a particle pattern defining a shape [i.e. fire, smoke, steam, water] of a plurality of particles; generating [by "particle system"] a sequence of object definition data sets ["fire, smoke, steam, water graphics"] using graphics image data file; wherein object definition data sets can be used to render a particle explosion effect [i.e. fire flames, smoke, water splashing] on a video file ["firefight simulation image file"]. (See Abstract line 7-9, Fig 2, Fig 4, Fig 5, col 7 line 1-61, col 8 line 66-col 9 line 23)

Regarding claim 2, Ebersole et al discloses that graphics image data file has a plurality of channels. (See 'RGBA' in Appendix A)

Regarding claim 3, Ebersole et al discloses that graphics image data file has a red channel, a green channel, a blue channel and an alpha channel. (See 'RGBA' in Appendix A)

Regarding claim 4, Ebersole et al discloses that graphics image data file defines at least one parameter of an explosion sequence for all of plurality of particles, a spin parameter for each of plurality of particles and a softness of edges of each plurality of particles and wherein shape, explosion sequence, spin parameter and softness are

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each defined in one of plurality of channels. (See Appendix A, col 7 line 6-8, col 7 line 52-55, col 10 line 41-46)

Regarding claim 5, Ebersole et al disclose that particle pattern is a shattered glass pattern. (See Fig 4)

Regarding claim 6, Ebersole et al discloses that a step of drawing graphics image data file. (See Abstract line 7-9, Appendix A)

Regarding claim 7, Ebersole et al discloses that step of drawing comprises defining an edge for plurality of particles and filling up each of plurality of particles with a different color. (See Appendix A, col 7 line 6-8, col 7 line 52-55, Fig 2)

Regarding claim 8, Ebersole et al disclose that a step of drawing each channel of graphics image data file and wherein each parameter is defined by drawing colors in each channel. (See Appendix A, Abstract line 7-9, col 6 line 20-44)

Regarding claim 9, Ebersole et al discloses that identifying a plurality of triangles [i.e. polygon] for each particle and storing shape information from each triangle in object definition data sets. (See Appendix A, Fig 4, col 7 line 1-24, col 9 line 13-16)

Regarding claim 10, Ebersole et al discloses that identifying a plurality of triangles for each particle and storing parameter information from each triangle in object definition data sets, parameter information being extracted from each channel. (See Appendix A, Fig 4, col 6 line 20-44, col 7 line 1-24, col 9 line 13-16)

Regarding claim 11, claim 11 is similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claim 11.

Regarding claim 12, Ebersole et al discloses that loading each field of video source data file [i.e. Appendix A] into a graphics engine [i.e. "particle system"]; loading a corresponding one of sequence of object definition data sets ["fire, smoke, steam, water graphics"] into graphics engine; generating a particle exploded video output [i.e. fire flames, smoke, water splashing] using field and corresponding object definition data sets. (See Abstract line 7-9, Fig 2, Fig 4, Fig 5, col 7 line 1-61)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by

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telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
March 4 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600